

§ 551.14

file. When the Warden's decision is to disapprove the inmate's request, the notification to the inmate shall include a statement of reason(s) for that action. The Warden shall advise the inmate that the decision may be appealed through the Administrative Remedy Procedure.

(c) All expenses of the marriage (for example, a marriage license) shall be paid by the inmate, the inmate's intended spouse, the inmate's family, or other appropriate source approved by the Warden. The Warden may not permit appropriated funds to be used for an inmate marriage.

§ 551.14 Special circumstances.

(a) *Detainers and pending charges.* Staff review of a marriage request from an inmate who has a detainer(s) and/or a pending charge(s) shall include an assessment of the legal effects of the marriage on these actions. For example, an inmate could request to marry a potential witness in litigation pending against that inmate. Approving this marriage could affect the status of this litigation.

(b) *Pretrial inmates.* A pretrial inmate may request permission to marry in accordance with the provisions of this rule. Staff shall contact the court, U.S. Attorney, and in the case of an alien, the Immigration and Naturalization Service, to advise of the marriage request of the pretrial inmate and to request their comments.

(c) *Federal inmates not in Federal institutions.* A federal inmate who is not confined in a federal institution who wants to get married shall submit a request to the appropriate Community Corrections Manager. Prior to making a decision on the inmate's request, the Community Corrections Manager shall advise the confining authority of the inmate's request and ask that information on the criteria identified in § 551.12 be furnished.

[49 FR 18385, Apr. 30, 1984, as amended at 58 FR 58248, Oct. 29, 1993]

§ 551.15 Furloughs.

An inmate whose request to marry is approved, and who also meets the Bureau's criteria for furlough (see part 570, subpart C), may be considered for a

28 CFR Ch. V (7-1-16 Edition)

furlough for the purpose of getting married.

§ 551.16 Marriage ceremony in the institution.

(a) The Warden may approve the use of institution facilities for an inmate's marriage ceremony. If a marriage ceremony poses a threat to the security or good order of the institution, the Warden may disapprove a marriage ceremony in the institution. The Warden may not delegate the authority to approve or to disapprove a marriage ceremony in the institution below the level of Acting Warden.

(b) Expenses for a marriage ceremony in the institution shall be paid by the inmate, the inmate's intended spouse, the inmate's family, or other appropriate source approved by the Warden. The Warden may not permit appropriated funds to be used for the marriage ceremony, except for those inherent in providing the place and supervision for the event. Upon request of the inmate, Bureau of Prisons or community clergy, or a justice of the peace may be authorized to assist in a marriage ceremony at the institution.

(1) The marriage ceremony may be performed by Bureau of Prisons or community clergy, or by a justice of the peace.

(2) Because of ecclesiastical constraints, Bureau of Prisons chaplains may decline to perform the marriage ceremony. Upon request of the inmate, a Bureau chaplain will assist that inmate in preparing for an approved marriage; for example, by providing, or arranging for an inmate to receive, pre-nuptial marriage counseling.

(c) The Warden shall require that a marriage ceremony at the institution be a private ceremony conducted without media publicity.

Subpart C—Birth Control, Pregnancy, Child Placement, and Abortion

§ 551.20 Purpose and scope.

The Bureau of Prisons provides an inmate with medical and social services related to birth control, pregnancy, child placement, and abortion. The Warden shall ensure compliance with

Bureau of Prisons, Justice

§ 551.32

the applicable law regarding these matters.

§ 551.21 Birth control.

Medical staff shall provide an inmate with advice and consultation about methods for birth control and, where medically appropriate, prescribe and provide methods for birth control.

§ 551.22 Pregnancy.

(a) The Warden shall ensure that each pregnant inmate is provided medical, case management, and counseling services.

(b) In order to ensure proper medical and social services, the inmate shall inform the institution medical staff as soon as she suspects she is pregnant.

(c) Medical staff shall arrange for the childbirth to take place at a hospital outside the institution.

[44 FR 38252, June 29, 1979, as amended at 59 FR 62968, Dec. 6, 1994]

§ 551.23 Abortion.

(a) The inmate has the responsibility to decide either to have an abortion or to bear the child.

(b) The Warden shall offer to provide each pregnant inmate with medical, religious, and social counseling to aid her in making the decision whether to carry the pregnancy to full term or to have an elective abortion. If an inmate chooses to have an abortion, she shall sign a statement to that effect. The inmate shall sign a written statement acknowledging that she has been provided the opportunity for the counseling and information called for in this policy.

(c) Upon receipt of the inmate's written statements required by paragraph (b) of this section, ordinarily submitted through the unit manager, the Clinical Director shall arrange for an abortion to take place.

[51 FR 47178, Dec. 30, 1986, as amended at 59 FR 62968, Dec. 6, 1994]

§ 551.24 Child placement.

(a) The Warden may not permit the inmate's new born child to return to the institution except in accordance with the Bureau of Prisons policy governing visiting.

(b) Child placement is the inmate's responsibility. The Warden shall provide opportunities for counseling by institution staff and community social agencies to aid the inmate with placement.

(c) The institution staff shall work closely with community agencies and persons to ensure the child is appropriately placed. The staff shall give notice to the responsible community agency of the inmate's plan for her child. Child welfare workers may come to the institution in appropriate cases to interview and counsel an inmate.

[44 FR 38252, June 29, 1979, as amended at 51 FR 47179, Dec. 30, 1986; 59 FR 62968, Dec. 6, 1994]

Subpart D—Inmate Organizations

SOURCE: 61 FR 11275, Mar. 19, 1996, unless otherwise noted.

§ 551.30 Purpose and scope.

The Bureau of Prisons permits inmates and persons in the community to participate in approved inmate organizations for recreational, social, civic, and benevolent purposes.

§ 551.31 Approval of an organization.

(a) An inmate must submit a request for recognition of a proposed inmate organization to the Warden. The organization may not become active without the Warden's approval.

(b) The Warden may approve an inmate organization upon determining that:

(1) The organization has a constitution and bylaws duly approved by its members; the constitution and bylaws must include the organization's purpose and objectives, the duties and responsibilities of its officer(s), and the requirements for activities reporting and operational review; and

(2) The organization does not operate in opposition to the security, good order, or discipline of the institution.

§ 551.32 Staff supervision.

(a) The Warden shall appoint a staff member as the institution's Inmate Organization Manager (IOM). The IOM shall be responsible for monitoring the